

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Docket No. 1:21-CV-11784-ADB

KARINE BAEZ and JAQUELINI DA
SILVERIA, on behalf of themselves
And others similarly situated,
Plaintiffs,

V.

KELLERMEYER BERGENSONS
SERVICES, LLC, JS JANITORIAL
SERVICE, INC., and EDIMAR
EVANGELISTA, individually

Defendants.

KELLERMEYER BERGENSONS
SERVICES, LLC.
Defendant and Third-Party Plaintiff

V.

MAJESTIC QUALITY MAINTENANCE,
INC.,
Third Party Defendant.

**PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS ACTION AND FLSA
COLLECTIVE SETTLEMENT**

Plaintiffs, Karine Baez and Jaqueline Da Silveira, on behalf of themselves and all others similarly situated, hereby move for final approval of a class and collective action settlement ("Settlement") in the above-captioned action. Defendant Kellermeyer Bergensons Services, LLC ("KBS"), and Third-Party Defendant Majestic Quality Maintenance, Inc. ("MQM") (collectively

“Defendants”), do not oppose this motion. The Court has granted a preliminary approval of this Class and Settlement on June 6, 2023. Plaintiffs request the following:

- a. For purposes of settlement only, final approval of the Stipulation of Settlement and Release (“Settlement Agreement”) attached to Plaintiffs’ Memorandum of Law in Support of this Motion (filed concurrently herewith) as Exhibit A;
- b. For purposes of settlement only, final appointment of Plaintiffs Karine Baez and Jaqueline Da Silveira, as Class Representatives of the Rule 23 Class and Fair Labor Standards Act (“FLSA”) Collective;
- c. For purposes of settlement only, final appointment of Class Counsel, Raymond Dinsmore, Esq., as counsel for the Rule 23 Class and FLSA Collective;
- d. For purposes of settlement only, certification of the Rule 23 Class consisting of JS Services, Inc (“JS”) -employed janitorial workers who worked at Amazon’s Stoughton, MA and/or Fall River, MA warehouses during the period of April 1, 2020, through December 1, 2021
- e. For purposes of settlement only, certification of the FLSA Collective pursuant to 29 U.S.C. § 216(b); and
- f. Entry of a Final Approval Order.

This Settlement is a fair and reasonable result for the Rule 23 Class and FLSA Collective and was reached only after rigorous arms’ length negotiations between the Parties. For the reasons set forth in Plaintiffs’ memorandum of law filed concurrently herewith, Plaintiffs hereby request the Court approve this Settlement pursuant to Rule 23(c) of the Federal Rules of Civil Procedure and the FLSA.

Dated: September 26, 2023

Respectfully submitted,

Attorneys for Plaintiffs
Karine Baez and Jaqueline Da Silva,

/s/ Raymond Dinsmore
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CERTIFICATE OF SERVICE

I, Raymond E. Dinsmore, hereby certify that on September 26, 2023, a copy of Plaintiffs' Motion for Final Approval of Class Action and FLSA Collective Settlement has been filed electronically through CM/ECF and served electronically on the following counsel of record:

COUNSEL FOR KELLERMEYER
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Dated: September 26, 2023

/s/ Raymond Dinsmore
Raymond Dinsmore